

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DERRICK DALE FONTROY, I.	:	CIVIL ACTION
THEODORE B. SAVAGE, J.D.	:	
AARON CHRISTOPHER WHEELER	:	NO. 02-2949
JAMES S. PAVLICHKO	:	
	:	
v.	:	
	:	
MARK S. SCHWEIKER	:	
JEFFREY A. BEARD	:	
DONALD T. VAUGHN	:	
LESLIE HATCHER	:	
KIM ULISNY	:	

ORDER

AND NOW, this 12th day of September, 2006, upon consideration of the Motion to Remove Case From Suspense and Grant Leave to File Supplemental Memorandum (Document No. 279), it is **ORDERED** that the motion is **GRANTED**.

IT IS FURTHER ORDERED as follows:

1. The Clerk shall remove this case from Civil Suspense;
2. No later than **September 25, 2006**, the parties shall file supplemental memorandum of law addressing the effects, if any, of the decision of the Third Circuit Court of Appeals in *Jones v. Brown* and *Allah v. Codey*, and the decision of the Supreme Court in *Beard v. Banks*.

s/Timothy J. Savage
TIMOTHY J. SAVAGE, J.